

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

ORIGINAL DATE 2/8/07

SPONSOR Picraux LAST UPDATED \_\_\_\_\_ HB 378

SHORT TITLE STATEWIDE DOMESTIC VIOLENCE SERVICES SB \_\_\_\_\_

ANALYST Lucero

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
\$735.3	\$1,764.7	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SB0094 “STATEWIDE DOMESTIC VIOLENCE PROGRAMS”; SB0083 “STATEWIDE DOMESTIC VIOLENCE PROGRAMS”

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Defender Department

Children, Youth and Families Department (CYFD)

### SUMMARY

House Bill 378 appropriates two million five hundred thousand dollars (\$2,500,000) from the general fund to Children, Youth and Families Department to contract with a coalition of domestic violence programs statewide to provide shelter care, child and adolescent counseling, family counseling and crisis intervention for victims of domestic violence and their children. This bill declares for the public peace, health and safety that this act takes effect immediately; declaring an emergency.

### FISCAL IMPLICATIONS

The appropriation of two million five hundred thousand dollars (\$2,500,000) contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund. This bill declares an emergency.

The appropriation in this bill is not part of the Children, Youth and Families Department's request and is not included in the Executive recommendation of the Children, Youth and Families Department. CYFD estimates \$735.3 will be spend in 2007 and \$1,764.7 will be spent in 2008. The Children Youth and Families Department requested twelve million five hundred forty two thousand two hundred dollars (\$12,542,200) for domestic violence contracts in the base budget request.

None for the Public Defender Department.

### **SIGNIFICANT ISSUES**

The Executive recommendation for Children, Youth and Families Department contains \$98.3 for domestic violence programming oversight and 2 FTE.

The bill provides \$2,500,000 for a coalition of domestic violence programs statewide to provide shelter care, children and adolescent counseling, family counseling and crisis intervention for victims of domestic violence and their children. The bill does not specify whether the funds are to be made available to all domestic violence providers or only those that are members of the statewide coalition. There is only one statewide domestic violence coalition. This bill also limits types of service that can be offered to victims and their children.

### **PERFORMANCE IMPLICATIONS**

CYFD states, this bill, as written, would positively affect existing CYFD performance outcome measures concerning "Percent of adult victims receiving domestic violence services who are living in a safer, more stable environment as measured by the Domestic Violence Assessment Tool" and "Percent of adult victims receiving domestic violence services who show improved client competencies in social living, coping and thinking skills as measured by the Domestic Violence Assessment Tool".

Early intervention might reduce the workload of the Public Defender Department.

### **ADMINISTRATIVE IMPLICATIONS**

CYFD states, that passage of this bill will have a long-term administrative effect on CYFD by increasing contract generation and monitoring costs. Passage of the bill will require additional resources (FTE).

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to SB0083 "STATEWIDE DOMESTIC VIOLENCE PROGRAMS"; SB0094 "STATEWIDE DOMESTIC VIOLENCE SERVICES".

### **TECHNICAL ISSUES**

As an emergency, this bill includes FY07, as well as FY08.

## **OTHER SUBSTANTIVE ISSUES**

CYFD allocates and administrates funding to domestic violence programs and is also responsible for monitoring contracts. CYFD will be required to conduct a competitive bid for the \$2,500,000 and monitor the contract. As per the procurement code any contract over thirty thousand dollars must be let through competitive procurement process and this bill limits the funding to a coalition.

According to data from New Mexico Voices for Children's New Mexico Kids Count Data book: "New Mexico women, in every category of ethnicity and educational level, are more likely to experience domestic violence than American women in general. Violence harms all parties: victim, perpetrator and witness. Without adequate intervention, children who experience or witness violence often continue these destructive patterns into adulthood. In fact, 59% of adult victims and 70% of perpetrators of domestic violence in New Mexico report having been abused as children. Fifteen cases of domestic violence occur for every 1,000 residents. In 2004, 27,000 cases of domestic violence were reported to the police. However, research shows that only half of all victims actually report their abuse to the authorities. "

## **ALTERNATIVES**

Allocate the funding to CYFD and have it distributed through the normal procurement process, available to all domestic violence providers in the state.

The sponsor might consider striking reference to the statewide coalition to assure a broader access to all domestic violence providers, regardless of an agency's membership or affiliation with the coalition.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo

**DL/sb**